



# County of Fairfax, Virginia

*To protect and enrich the quality of life for the people, neighborhoods and diverse communities of Fairfax County*

November 19, 2014

Sara Mariska  
Walsh, Colucci, Lubeley & Walsh, P.C.  
2200 Clarendon Boulevard, 13<sup>th</sup> Floor  
Arlington, VA 22201

RECEIVED  
Department of Planning & Zoning

JAN 08 2015

Zoning Evaluation Division

Re: Special Exception Application SE 2014-PR-040  
(Concurrent with Rezoning Application RZ 2014-PR-013)

Dear Ms. Mariska:

At a regular meeting of the Board of Supervisors held on November 18, 2014, the Board approved Special Exception Application SE 2014-PR-040 in the name of Tysons West Assemblage, LLC. The subject property is located at 8500 Tyco Road, on approximately of 2.59 acres land, zoned C-8 and HC in the Providence District [Tax Map 29-1 ((25)) 1pt]. The Board's action permits vehicle sales, rental and ancillary service establishment, pursuant to Sections 4-804 and 9-501 of the Fairfax County Zoning, by requiring conformance with the following development conditions:

1. This Special Exception is granted for and runs with the land indicated in this application and is not transferable to other land.
2. A copy of the Special Exception conditions and the Non-Residential Use Permit (Non-RUP) shall be posted in a conspicuous place on the property of the use and be made available to all departments of the County of Fairfax during the hours of operation of the permitted use.
3. This Special Exception is granted only for the purpose(s), structure(s) and/or use(s) indicated on the special exception plat approved with the application, as qualified by these development conditions.
4. This Special Exception (SE) is subject to the provisions of Article 17, Site Plans, as may be determined by the Director, Department of Public Works and Environmental Services (DPWES). Any plan submitted pursuant to this SE shall be in substantial conformance with the approved SE entitled GDP/SE 8599 Tyco Road, prepared by Vika Virginia LLC, revised through October 7, 2014 and these conditions. Minor modifications to the approved SE may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.

---

Office of the Clerk to the Board of Supervisors  
12000 Government Center Parkway, Suite 533  
Fairfax, Virginia 22035

Phone: 703-324-3151 ♦ Fax: 703-324-3926 ♦ TTY: 703-324-3903  
Email: [clerktothebos@fairfaxcounty.gov](mailto:clerktothebos@fairfaxcounty.gov)  
<http://www.fairfaxcounty.gov/bosclerk>

5. The vehicle sales, rental, and ancillary service establishment use shall be limited to those establishments in which the vehicle manufacturer sells vehicles directly to consumers.
6. Approval of the SE in no way grants approval to any sign depicted on the GDP/SE Plat. All signs shall comply with all applicable provisions of Article 12, Signs, of the Zoning Ordinance.
7. The vehicle sales, rental, and ancillary service establishment shall comply with all applicable provisions of Article 14, Performance Standards, of the Zoning Ordinance. The area devoted to vehicle storage and display shall be limited to that area so designated on the GDP/SE Plat. The outdoor storage of non-operational vehicles shall be prohibited.
8. Prior to the issuance of the Non-Residential Use Permit, restriping shall be completed to comply with handicap parking requirements and to delineate parking and loading areas as shown on the GDP/SE Plat.
9. The applicant shall control, through signage or other means, the use of the parking spaces (shown on Sheet C-7 of the GDP/SE Plat as the shaded parking spaces depicted within the proposed path of delivery trucks) so that any vehicles utilizing those spaces can be accessed and moved to facilitate unloading operations. Such means could include designating said parking spaces for employees only and ensuring that such spaces are empty during scheduled deliveries. No loading or unloading shall be permitted along Tyco Road or within the interparcel connection between the subject property and Tax Map Parcel 29-1 ((1)) 22A.
10. No later than six (6) months from the date of approval of this special exception, the Applicant shall modify the building façade in substantial conformance with the elevations on Sheets A-1 and A-2 of the SE Plat. The Applicant shall have the ability to modify the building materials and colors at time of final design, provided the façade is in substantial conformance with Sheets A-1 and A-2.

This approval, contingent on the above noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The applicant shall be himself responsible for obtaining the required Non-Residential Use Permit through established procedures, and this special exception shall not be valid until this has been accomplished.

The approval of this special exception does not interfere with abrogate or amend any easements, covenants, or other agreements between parties, as they may apply to the property subject to this application.

Pursuant to Section 9-015 of the Zoning Ordinance, this special exception shall automatically expire, without notice, thirty (30) months after the date of approval

unless the use has been established or construction has commenced and been diligently prosecuted. The Board of Supervisors may grant additional time to establish the use or to commence construction if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special exception. The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.

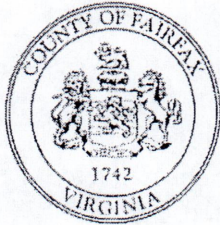
Sincerely,



Catherine A. Chianese  
Clerk to the Board of Supervisors

cc: Chairman Sharon Bulova  
Supervisor Linda Smyth, Providence District  
Tim Shirocky, Acting Director, Real Estate Division, Dept. of Tax Administration  
Barbara C. Berlin, Director, Zoning Evaluation Division, DPZ  
Diane Johnson-Quinn, Deputy Zoning Administrator, Dept. of Planning and Zoning  
Thomas Conry, Dept. Manager, GIS, Mapping/Overlay  
Michael Davis, Section Chief, Transportation Planning Division  
Donald Stephens, Transportation Planning Division  
Ken Williams, Plans & Document Control, ESRD, DPWES  
Department of Highways-VDOT  
Sandy Stallman, Park Planning Branch Manager, FCPA  
Charlene Fuhrman-Schulz, Development Officer, DHCD/Design Development Division  
Jill Cooper, Executive Director, Planning Commission  
Karyn Moreland, Chief Capital Projects Sections, Dept. of Transportation





COUNTY OF FAIRFAX

Department of Planning and Zoning

Zoning Evaluation Division

12055 Government Center Parkway, Suite 801

Fairfax, VA 22035 (703) 324-1290, TTY 711

[www.fairfaxcounty.gov/dpz/zoning/applications](http://www.fairfaxcounty.gov/dpz/zoning/applications)APPLICATION No: SE 2014-PR-040

(Staff will assign)

Concurrent

with

RECEIVED  
Department of Planning & Zoning

RZ 2014-PR-013

JUL 01 2014

## APPLICATION FOR A SPECIAL EXCEPTION

Zoning Evaluation Division

(PLEASE TYPE or PRINT IN BLACK INK)

APPLICANT	NAME	Tysons West Assemblage, LLC	
	MAILING ADDRESS	8405 Greensboro Drive, Suite P130 McLean, Virginia 22102	
	PHONE HOME ( )	WORK ( )	
	PHONE MOBILE ( )		
PROPERTY INFORMATION	PROPERTY ADDRESS	8500 Tyco Road Vienna, Virginia 22182	
	TAX MAP NO.	29-1 ((1))-18 (part) 29-1 ((251))	
	SIZE (ACRES/SQ FT)	Approx. 2.58 acres	
	ZONING DISTRICT	MAGISTERIAL DISTRICT	
SPECIAL EXCEPTION REQUEST INFORMATION	I-4, HC	Providence	
	PROPOSED ZONING IF CONCURRENT WITH REZONING APPLICATION:		
	C-8, HC		
	ZONING ORDINANCE SECTION		
AGENT/CONTACT INFORMATION	4-804, 9-501		
	PROPOSED USE		
	Vehicle sales, rental, and ancillary service establishment		
	NAME		
MAILING	Sara V. Mariska, Agent		
	MAILING ADDRESS		
	Walsh, Colucci, Lubeley & Walsh, P.C. 2200 Clarendon Boulevard, Suite 1300 Arlington, Virginia 22201		
	PHONE HOME ( )		
WORK (703 ) 528-4700			
PHONE MOBILE ( )			
Send all correspondence to (check one): <input type="checkbox"/> Applicant -or- <input checked="" type="checkbox"/> Agent/Contact			
The name(s) and addresses of owner(s) of record shall be provided on the affidavit form attached and made part of this application. The undersigned has the power to authorize and does hereby authorize Fairfax County staff representatives on official business to enter the subject property as necessary to process the application.			
Sara V. Mariska, Agent			
TYPE/PRINT NAME OF APPLICANT/AGENT		SIGNATURE OF APPLICANT/AGENT	

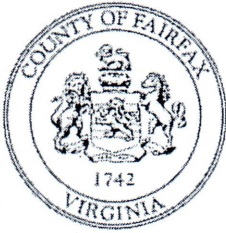
DO NOT WRITE IN THIS SPACE

Date Application accepted: July 1, 2014Application Fee Paid: \$ 16,375.00

SE 2014-0336

mpc  
7/1/14





COUNTY OF FAIRFAX  
Department of Planning and Zoning  
Zoning Evaluation Division  
12055 Government Center Parkway, Suite 801  
Fairfax, VA 22035 (703) 324-1290, TTY 711  
[www.fairfaxcounty.gov/dpz/zoning/applications](http://www.fairfaxcounty.gov/dpz/zoning/applications)

APPLICATION No: SE 2014-PZ-040  
(Staff will assign)

RECEIVED  
Department of Planning & Zoning

OCT 17 2014

**APPLICATION FOR A SPECIAL EXCEPTION** Zoning Evaluation Division  
(PLEASE TYPE or PRINT IN BLACK INK)

<b>APPLICANT</b>	<b>NAME</b> Tysons West Assemblage, LLC	
	<b>MAILING ADDRESS</b> 8405 Greensboro Drive, Suite P130 McLean, Virginia 22102	
	<b>PHONE HOME ( )</b>	<b>WORK ( )</b>
	<b>PHONE MOBILE ( )</b>	
<b>PROPERTY INFORMATION</b>	<b>PROPERTY ADDRESS</b> 8500 Tyco Road Vienna, Virginia 22182	
	<b>TAX MAP NO.</b> 29-1 ((25)) 1 (part)	<b>SIZE (ACRES/SQ FT)</b> Approx. 2.59 acres
	<b>ZONING DISTRICT</b> I-4, HC	<b>MAGISTERIAL DISTRICT</b> Providence
	<b>PROPOSED ZONING IF CONCURRENT WITH REZONING APPLICATION:</b> I-4, C-8, HC	
<b>SPECIAL EXCEPTION REQUEST INFORMATION</b>	<b>ZONING ORDINANCE SECTION</b> 4-804, 9-501	
	<b>PROPOSED USE</b> Vehicle sales, rental, and ancillary service establishment	
<b>AGENT/CONTACT INFORMATION</b>	<b>NAME</b> Sara V. Mariska, Agent	
	<b>MAILING ADDRESS</b> Walsh, Colucci, Lubeley & Walsh, P.C. 2200 Clarendon Boulevard, Suite 1300 Arlington, Virginia 22201	
	<b>PHONE HOME ( )</b>	<b>WORK (703 )</b> 528-4700
	<b>PHONE MOBILE ( )</b>	
<b>MAILING</b>	Send all correspondence to (check one): <input type="checkbox"/> Applicant -or- <input checked="" type="checkbox"/> Agent/Contact	
<p>The name(s) and addresses of owner(s) of record shall be provided on the affidavit form attached and made part of this application. The undersigned has the power to authorize and does hereby authorize Fairfax County staff representatives on official business to enter the subject property as necessary to process the application.</p> <p>Sara V. Mariska, Agent</p> <p><b>TYPE/PRINT NAME OF APPLICANT/AGENT</b> <b>SIGNATURE OF APPLICANT/AGENT</b></p>		

DO NOT WRITE IN THIS SPACE

Date Application accepted: \_\_\_\_\_ Application Fee Paid: \$ \_\_\_\_\_

# SE 2014-PR-040

## Zoning Application Closeout Summary Report

Printed: 12/17/2014

### General Information

APPLICANT: TYSONS WEST ASSEMBLAGE, LLC  
DECISION DATE: 11/18/2014  
CRD: NO  
HEARING BODY: BOS  
ACTION: APPROVE  
STAFF COORDINATOR: BOB KATAI  
SUPERVISOR DISTRICT: PROVIDENCE

#### DECISION SUMMARY:

ON NOVEMBER 18, 2014, THE BOARD UNANIMOUSLY APPROVED SE 2014-PR-040 ON A MOTION BY SUPERVISOR SMYTH;  
SUBJECT TO DEVELOPMENT CONDITIONS DATED NOVEMBER 18, 2014.

#### APPLICATION DESCRIPTION:

VEHICLE SALES, RENTAL AND ANCILLARY SERVICE ESTABLISHMENT

### Zoning Information

Existing Zoning		Proposed Zoning		Approved Zoning	
DISTRICT	AREA	DISTRICT	AREA	DISTRICT	AREA
				C- 8	2.59 ACRES

### Tax Map Numbers

0291 ((25))(\ )0001      0291 ((25))(\ )0002

### Approved Land Uses

Zoning District: C- 8

LAND USE	DU'S	RES LAND AREA	ADU'S	WDU'S	GFA	FAR	NRES LAND AREA
VEH/SALE/A					48,972	0.44	2.59 ACRES
TOTALS					48,972	0.44	2.59 ACRES

12/17/2014



---

**Approved Development Conditions**DEVELOPMENT CONDITION STATEMENT DATE: 11-18-2014

---

<u>DEVELOPMENT CONDITION</u>	<u>DUE</u>	<u>TRIG #</u>	<u>TRIG EVENT</u>	<u>CONTRIB</u>	<u>EXPIR DTE</u>
PARKING	01-01-0001	0	NON-RUP	0	01-01-0001
LOADING	01-01-0001	0	N/A	0	01-01-0001
NOISE ATTENUATION (STUDY / WALL)	01-01-0001	0	N/A	0	01-01-0001
COPY SHALL BE POSTED	01-01-0001	0	N/A	0	01-01-0001
ARCHITECTURE BUILDING MATERIALS / COLORS	01-01-0001	0	N/A	0	01-01-0001
SUBJECT TO SITE PLANS / SUBDIVISION PLATS	01-01-0001	0	N/A	0	01-01-0001
APPROVED FOR LOCATION/STRUCTURE/USES ETC ON PLATS	01-01-0001	0	N/A	0	01-01-0001
USE RESTRICTIONS	01-01-0001	0	N/A	0	01-01-0001
OTHER - LAND USE	01-01-0001	0	N/A	0	01-01-0001
LIGHTING/GLARE	01-01-0001	0	N/A	0	01-01-0001
SIGNAGE	01-01-0001	0	N/A	0	01-01-0001

12/17/2014